New South

- Georgia Abandons Massive Resistance
- Press Reaction to Closed Schools
- Higher Education Desegregation
- Civil Rights Commission Report

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New South

Notes

Focus in school desegregation in the South has been mainly on secondary school desegregation since the Supreme Court decisions of 1954 and 1955 with only sporadic headlines (such as the University of Alabama) concerned with desegregation in higher education.

But with desegregation at the University of Georgia, the focus again has swung to colleges and universities. This issue of *New South* takes note of desegregation at the University of Georgia and its subsequent effect on "massive resistance" in regard to all public education in the State of Georgia.

Working from a foundation of public opinion already existing for "open schools" in the state, Georgia leaders succumbed to the inevitable in regard to the university and appear ready to accept secondary school desegregation.

In keeping with the University of Georgia account is a brief report of desegregation in other states in schools of higher education with special emphasis on public-supported schools.

Also included are brief excerpts from newspapers in Georgia showing how the press rallied to speak out for continuing public education.

Recently the United States Civil Rights Commission released a report, "Equal Protection of the Laws in Public Higher Education, 1960," in which it deals with federal funds and segregation in colleges and universities. *New South* reprints the news release from that report.

Concluding this issue is a report on the book, *This Is What We Found.*

Georgia Abandons Laws of Massive Resistance

A Report on University of Georgia Desegregation

Desegregation has come, albeit not peaceably, to public education in the Deep South State of Georgia.

And, although the initial desegregation came at the university level, it appears to be heralding the end of the State's "massive resistance" to secondary school desegregation.

The major events at the University of Georgia are probably familiar to almost everyone through newspaper accounts; but briefly stated, they are:

Two Negroes, Charlayne Hunter and Hamilton Holmes on Friday, January 6, were ordered admitted as transfer students to the university for the winter quarter. The order came from Federal District Judge William Bootle.

The State of Georgia asked for a stay of judgment pending appeal of the order and on Monday, Judge Bottle granted the request although the students were midway of registration.

The stay order was quickly taken to Appeals Judge Elbert Tuttle in Atlanta who on Monday afternoon ordered the stay overturned and the students readmitted. Interestingly, Judge Tuttle said in the ruling, "I am of the opinion that the quickest disposition that can be made of this case, so far as granting these plaintiffs their right to an education in a State institution, as the trial court has clearly found that they are entitled to, is the best solution not only for them but for all others concerned."

On Tuesday, with a closed school in prospect, the two Negroes did not attend classes at the university. On Tuesday afternoon, Judge Bootle issued a temporary order enjoining Governor Ernest Vandiver and State Auditor B. E. Thrasher from cutting off funds from the desegregated university.

Judge Bootle said that a fund cutoff would cause irreparable injury to the Negro students and the 7,500 white students at the university.

On the same afternoon, the United States Supreme Court unanimously denied a motion from Georgia Attorney General Eugene Cook to stay the order admitting the students.

On Wednesday, white students rioted

Georgia

(Continued)

in front of the dormitory where Miss Hunter was housed; and the two Negro students were suspended by Dean of Students Joseph Williams. Georgia State Patrolmen, who were called some two hours earlier to aid in breaking up the rioting, arrived only after local police had dispersed the white students. Their role was to take the suspended Negro students back to Atlanta.

Nine adults and a few students were arrested during the rioting Wednesday night, and eight of the nine adults admitted membership in the Ku Klux Klan. Six of the adults were later bound over to higher court, and all nine adults and two students were later indicted by the Clarke County Grand Jury.

Governor Enjoined

On Thursday, January 12, Judge Bootle permanently enjoined Gov. Vandiver, Auditor Thrasher, and others from cutting off state funds to the desegregated university. After a petition from Negro lawyers for reinstatement of the two Negro students, Judge Bootle asked that written pleas be made.

On Friday, January 13, Judge Bootle ordered Miss Hunter and Mr. Holmes readmitted to the university by 8:00 a.m., Monday, January 16.

The students returned to classes on Monday under guard which was withdrawn later in the week. After stern warnings from university officials, the campus apparently is nearly normal with only a few isolated catcalls from white students to indicate antagonism to the two Negroes.

The struggle to desegregate the University of Georgia was brief and dramatic during the climactic week of court orders and rioting. Undoubtedly, desegregation at the university is an important step in extending civil rights in higher education; but probably an even more important aspect to the school's week of turmoil was the part it played in inspiring Georgia sentiment against "massive resistance" to secondary school desegregation.

Open School

There has been strong sentiment in Georgia for "open schools" even with some desegregation since events in Virginia in 1958 when that state closed some public schools in its "massive resistance" program. But sentiment against closed public schools is now reaching a crescendo following events at the university.

Initial support for "open schools" was, of course, in support of the university; but it has been extended to secondary education also. Early in the controversy, more than a third of the students at the university signed a petition asking that schools be kept open at any cost. This was presented to the General Assembly shortly after it opened its first day's session for 1961.

Probably the most important and easily the most controversial resolution was one signed by 405 of the approximately 600 faculty members at the University of Georgia. The teachers said that they would "not retreat from the responsibility of standing steadfastly by the rules of law and morality," and asked that the two suspended Negro students be returned to their classes and "that all measures necessary to the pro-

tection of students and faculty and to the preservation of orderly education be taken by appropriate state authorities."

The resolution promptly drew the ire of some state legislators; and subsequently, a resolution passed the Georgia Senate, 29-19, commending those faculty members who had not signed the resolution.

However, support from other college faculties came for the University of Georgia faculty members signing the resolution including the Georgia Tech chapters of the Georgia Education Association and the American Association of University Professors, 67 of the 75 faculty members at Agnes Scott College, and about 85 per cent or 321 members of the faculty at Emory University.

Officials Commended

A statement urging that the Negro students be reinstated and commending university and Athens officials was signed by 10 civic, educational and religious organizations including Active Voters, Atlanta University Women's Club, Fernbank PTA, Georgia Council on Human Relations, HOPE, Inc., Georgia League of Women Voters, Athens League of Women Voters, Margaret Mitchell PTA, United Church Women of Georgia, and the Atlanta branch of the Women's International League for Peace.

Other groups which came out in support of an open university and/or open schools in general include Atlanta's Sardis Methodist Church, the Dalton Ministerial Association, five hundred delegates to the annual conference of the Savannah district of the Methodist Church, the Savannah Chamber of Commerce, and the Atlanta Chamber of Commerce.

Methodist Resolution

The Savannah district Methodist Conference urged that "state schools be kept open, solvent and operative;" the Savannah Chamber of Commerce urged state leaders to avoid any "extended period of confusion and experimentation that would result if schools were closed;" and the Atlanta Chamber of Commerce endorsed two bills which would set up a pupil placement plan and outlaw existing school segregation laws.

Newspaper editorials for open schools became frequent rather than sporadic as they previously had been (see excerpts elsewhere in this issue).

Significantly, on January 16, 1961, a group of south Georgia legislators, from the area in the state most resistant to desegregation, were reportedly proposing an "enducational policy" providing local option and furnishing tuition grants for dissatisfied parents. The declaration noted that the Legislature "is further forced to recognize" that the state segregation laws "no longer support the principle for which they were enacted."

On the same day, House Speaker Frank Twitty announced that out of 721 letters and telegrams concerning the school question, 707 were in favor of open schools.

The next night, speaking to a joint session of the Georgia Legislature, Governor Vandiver reiterated an earlier statement that he was for open schools and announced a four-point plan he was submitting to the Legislature which would enact a local option, pupil placement plan. The Governor spoke to a statewide

Georgia

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television audience. The Governor said, " . . . under Georgia's present statutes, it has been demonstrated that it is futile even to send a lawyer into the courtroom to defend them."

Another important public opinion source was heard from following the Governor's speech when nearly 1,000 Georgia businessmen called upon the Governor and Legislature to keep schools open. Composed of some of the most prominent and influential business heads in the state, the group said, "disruption of our public school system would have a calamitous effect on the economic climate of Georgia."

They also voiced confidence that the State would act "to avoid the tragedy and unrest which several of our sister states have experienced."

The Georgia Legislature, in unprecedented action, now has passed Governor Vandiver's proposals for local option and pupil placement and also has repealed the segregation laws on the Georgia books. The bills had little opposition.

All this, of course, points toward the possibility of a much more smooth transition from a segregated to a desegregated school system for Atlanta's public schools in the fall.

Much of the reason for this undoubtedly is the growing demand from Georgians for continued public education. As pointed out, pressure for open schools began in 1959 in Georgia almost two years before the University of Georgia desegregation.

If Georgia officials and the majority of Georgia citizens continue on the road of progress they have begun in respect to school desegregation, the state may avoid the disasters of Little Rock and the one now taking place in New Orleans.

Press Reaction to Closed Schools

CARROLLTON TIMES FREE-PRESS

. . . it is important that the law-makers of Georgia be told immediately that public education must be continued . . .

ATLANTA JOURNAL

Out of the university crisis . . . may come the decision to spare the common schools. Out of the trials and troubles in Athens may come leadership to preach the doctrine that what happened there was harmful and unnecessary . . .

VALDOSTA TIMES

This session of the General Assembly may well be the last chance for Georgia to act to keep public schools open. Unless there is calm, considered thinking on the part of the legislators, there is grave danger that Georgia will see a period of confusion that will be of tremendous hurt to the entire state . . .

MOULTRIE OBSERVER

The integration problem exists in Georgia and it will not be solved by hatred, expediency or sticking heads in the sand like an ostrich. The situation demands clear, fair reasoning that frames action within the legal structure of our democracy. Anything else would do irreparable damage . . .

BRUNSWICK NEWS

. . . To close it [the university] would bring an irreparable loss to the state of Georgia and its citizens and to the cause of education generally.

AUGUSTA CHRONICLE

As we supported Gov. S. Ernest Vandiver in his original promise that there would be no racial integration in Georgia's public schools during his administration, we now support him in his painful decision to ask the General Assembly for a change in the state law that will permit the university to remain open . . .

COLUMBUS LEDGER

. . . What the legislature must do is to repeal the present laws which can only back Georgia into corner after corner—similar to the present university crisis—and enact a program that will insure that no student will attend an integrated school against the will of his parents; that will provide local option and pupil placement.

MACON NEWS

. . . To close the public schools when this [desegregation] comes about would be madness. To fail to prepare the legislature now convened for this eventuality borders on madness.

BALDWIN NEWS

In the face of overwhelming federal power and a lack of preparedness of an alternative school system, the only answer to this dilemma seems to lie in allowing each community to handle the situation individually . . .

QUIMBY MELTON
GRIFFIN DAILY NEWS

We sincerely hope we will have no New Orleans nor Little Rock.

We also hope sincerely that not a single school in our state—from the university down to the smallest—will be closed for a single day.

ATHENS BANNER-HERALD

Though we may dislike the course set for us, it is ours to follow. Let us accept our defeats as well as our victories with honor and with a great university and a greater Georgia.

MARIETTA JOURNAL

The people of Georgia have had nearly seven years to get over the shock of the Supreme Court decision ending legal segregation in the public schools and colleges of this nation.

During that time, any illusion that we could forever evade or avoid compliance with court decree has been shattered . . . it is impossible to believe that any responsible state official would act to close that great institution . . .

Higher Education Desegregation Slowly Gaining Ground in South

Report on 17 States and District of Columbia

With desegregation at the University of Georgia, there are now 131 desegregated tax-supported institutions of higher learning which formerly required segregation.

This, according to a survey by *Southern School News* last November, would bring the total number of desegregated formerly all-white colleges to 117. This is out of a total of 199. Of 38 predominantly Negro tax-supported colleges, 14 are now desegregated.

Desegregation at the University of Georgia narrowed the number of states without some desegregation in public education to three—South Carolina, Mississippi, and Alabama.

With desegregation in private institutions of higher learning, the total number of formerly all-white institutions which now accept Negroes in practice or principle totals more than 200. This is excluding those private Negro institutions which now accept white students.

The totals listed here include colleges and universities in 17 states plus the District of Columbia. All the states normally considered Southern plus the states of Maryland, West Virginia, Oklahoma, Delaware, and Missouri are included in the totals.

A state-by-state listing of desegregation in higher education, based on reports in *Southern School News* and newspaper clippings, include:

ALABAMA—Although the University of Alabama is under a permanent injunction not to bar qualified Negroes, no Negroes attend the university and it is not listed in the total figures above. Miss Autherine Lucy, a Negro coed, was ordered admitted to the University in 1956; but she was expelled following rioting on the campus. Miss Lucy was expelled after accusing university officials of conspiring in the riots, and the expulsion was upheld by the district court.

In November, approximately 30 Negroes were included in the 1,400 student enrollment at the private Spring Hill College (Catholic) near Mobile. Spring Hill voluntarily opened its doors to any qualified student in 1951.

In Talladega, one white student, daughter of a faculty member, attended the predominantly Negro Talladega College which was declared open to all at its beginning in 1867.

ARKANSAS—The University of Arkansas began admitting Negro students in 1948 with the other seven state-supported institutions opening their doors

to Negroes in 1955. *Southern School News* reports that specific information on racial composition of the student bodies is difficult to obtain, but it estimates that 38 to 40 Negro students attend the eight formerly all-white colleges.

Out of the 10 privately-supported colleges in the state, *Southern School News* reports that at least two of them have policies of accepting students without regard to race.

DELAWARE—Both the predominantly white University of Delaware at Newark and the predominantly Negro Delaware State College at Dover accept qualified students of either race. Although the University of Delaware began student desegregation prior to the 1954 decision, it apparently has not added Negro faculty members while Delaware State has faculty members of both races.

DISTRICT OF COLUMBIA—Racial barriers in higher education in Washington began to fall in 1933, more than 20 years before the Supreme Court decision on public school desegregation. It began when Catholic University admitted a group of Negro sisters. Since then, racial bars were dropped by American University, Georgetown University, Trinity College, Dumbarton College of the Holy Cross, Gallaudet College, George Washington University, and Wilson Teachers College. Wilson Teachers College was combined with a Negro college, Miner Teachers College, in 1954, with the two becoming District Teachers College.

Howard University, founded for freed slaves, reportedly is drawing an increasing number of white students, many from abroad.

FLORIDA—Florida has had a desegregation policy for its state-supported schools since 1958 although only one Negro student is attending the University of Florida this year. Of the 24 junior colleges, desegregation has occurred only at Dade County Junior College. Seven Negroes were assigned to attend classes with whites on a part-time basis when not enough Negroes applied for these particular courses "to justify" separate classes in the sister Negro institution.

Early this month, the University of Miami announced it will now accept Negro students and several reportedly have applied.

GEORGIA—As indicated elsewhere, two Negroes were admitted to the University of Georgia in January, 1961. Georgia State College in Atlanta also is under order not to bar applicants because of race, and Negroes have received application blanks from Georgia Tech, also in Atlanta.

Columbia Theological Seminary, a Presbyterian school in Decatur, has a policy of desegregation; and although no Negroes are now in attendance, the school formerly has had Negroes as day students.

Private Negro schools in the Atlanta area also have non-restrictive policies; but according to officials, they keep no records by race.

KENTUCKY—State-supported schools of higher learning in Kentucky dropped racial barriers shortly after the Supreme Court school segregation rulings, and *Southern School News* reports that at least four of the six such schools have both white and Negro students. Several hundred Negro students also attend the University of Louisville, an agency of

Higher Education

(Continued)

that city.

Of private colleges, 24 of 35 in the state are desegregated by policy.

LOUISIANA—Although Louisiana is experiencing great difficulty over desegregation in elementary education, higher education desegregation has proceeded rather smoothly. For the 1960-61 term, five of Louisiana's state-supported colleges and universities admitted 634 Negroes to predominantly white schools with a total enrollment of 22,565. The five are Louisiana State University's New Orleans and Baton Rouge schools, The University of Southwestern Louisiana, McNeese State College, and Southeastern Louisiana College.

An attempt several years ago by the state legislature to limit or defeat desegregation in higher education by adopting an elaborate certification procedure was defeated by federal courts as unconstitutional.

In private education, Loyola University has admitted Negroes since 1949; and Xavier and Dillard universities, both Negro institutions, have white students.

MARYLAND—A Negro law student was admitted to the University of Maryland in 1936 by court order; but little desegregation occurred until the 1950's when the university ended racial bars in its professional schools after losing three court cases in the school of nursing (1950), graduate sociology (1950), and engineering (1951). Undergraduate Negro students were not admitted to predominantly white schools of higher education until after the Supreme Court school ruling.

The five state teachers colleges, two Negro and three white, began operating with policies of desegregation in 1955. Desegregation has occurred at four of the five. The fifth, an all-Negro college, is slated to be closed in the near future.

Desegregation in principle or fact also has occurred in at least eight state-supported junior colleges in the state.

Prior to the Supreme Court decision, Negroes were admitted to St. John's College, Johns Hopkins University, the Naval Academy, Loyola College, and to the college division of the Peabody Conservatory of Music. All of these institutions, except the Naval Academy, receive some state support directly or, as in the case of Loyola, through state scholarships.

Negroes also have attended the private schools of Washington College and Maryland Institute in Maryland.

MISSISSIPPI—State-supported institutions in Mississippi are rigidly segregated as are most of the private schools. Desegregation in Mississippi is reported only at St. Augustine Catholic Seminary for priests at Bay St. Louis and in some classes for nurses at Gilfoy School of Nursing at Mississippi Baptist Hospital in Jackson.

MISSOURI—It is estimated that at least 2,500 Negroes are attending classes in desegregated colleges and universities in Missouri, including the University of Missouri, Lincoln University, and the five state colleges.

About 150 Negroes are reportedly serving on faculties in these schools. Desegregation in higher education began at the University of Missouri in 1950. It now has about 100 Negro students.

Major private institutions in Missouri also have been desegregated including

St. Louis University (1944) and Washington University (1952), both in St. Louis.

NORTH CAROLINA—Since desegregation began by court order on the graduate level at the University of North Carolina in 1951, it has spread and this year approximately 85 Negro students attended the University and two other branches of the University System, North Carolina State College at Raleigh and Women's College in Greensboro. In addition, white students have attended the predominantly Negro A&T College in Greensboro.

Private institutions which have had some desegregation in North Carolina include Belmont Abbey, a Catholic school, and Southeastern Theological Seminary at Wake Forest, a Baptist school.

OKLAHOMA—Law suits in the latter 1940's opened Oklahoma white schools of higher learning to Negroes. Desegregation has proceeded rapidly there, and officials say it is no longer an issue in colleges and universities.

Although no records by race are kept, it is reported that about 12 of the 18 state-owned institutions are attended by both Negro and white students; and 10 of 15 independent schools are believed desegregated.

The 18 state-supported schools were officially desegregated by the Board of Regents in June, 1955.

SOUTH CAROLINA—No desegregation exists either in private or publicly-supported institutions of higher learning.

TENNESSEE—The University of Tennessee opened its doors to three Negro undergraduates for the first time this school term although its graduate and professional schools were desegregated in 1952.

The other state colleges and their status include:

Memphis State College, approximately 25 Negro students; East Tennessee, 30 to 35 Negro students; Austin Peay, 12 full-time Negro students and 30 part-time; Tennessee Polytechnic Institute and Middle Tennessee State, desegregated in principle but have had no Negro applicants.

Private schools in the state which have desegregated include the University of the South (no Negroes presently enrolled), Maryville College, Madison College, George Peabody College, Vanderbilt University, Scarritt College (all predominantly white), and Fisk University and Meharry Medical College (both predominantly Negro).

TEXAS—Out of the more than 80 state-supported and private schools of higher learning in Texas, *Southern School News* reports that about two-thirds of them are desegregated in policy. Most of these also are or have been desegregated in practice. The state supports 30 junior colleges in addition to its senior colleges.

Catholic institutions of higher learning are for the most part desegregated. A few Protestant schools are desegregated at all levels, but most retain segregation in classes other than the graduate and professional levels.

VIRGINIA—Since the University of Virginia admitted Negro students in 1950 under court order, desegregation has spread to three other state-supported schools. The number of Negroes attending the four schools include Medical

Higher Education

(Continued)

College of Virginia at Richmond, 20; the University of Virginia at Charlottesville, 24; Richmond Professional Institute at Richmond, 6; and Virginia Polytechnic Institute at Blacksburg, 4.

Predominantly white, private schools with Negroes include Eastern Mennonite College at Harrisonburg, 10; Bridgewater College at Bridgewater, 2; and Union Theological Seminary at Richmond, 1.

In addition, Hampton Institute, a predominantly Negro college, has 14 white students enrolled.

WEST VIRGINIA — Formerly all-white, public colleges and universities in West Virginia are for the most part desegregated. West Virginia University was desegregated more than 10 years prior to the Supreme Court decision. *Southern School News* reports that most of the state's private schools are desegregated in principle although few Negroes have enrolled in them.

West Virginia State, formerly an all-Negro school, now has about a 65 per cent white student enrollment.

This Is What We Found

***This Is What We Found*, by Ralph and Carl Creger. Lyle Stuart, New York. 1961. $2.00, hardback; $1.00 paperback.**

This Is What We Found began as a history assignment for Carl Creger, a white student at Central High School in Little Rock during the crisis over desegregation. It later was expanded to book-length by Carl and his father, Ralph Creger.

The two authors were inspired to write the book "by their first-hand knowledge of the injury done to all students by the closing of Little Rock schools."

Written in a simple, straightforward style, the authors trace the history of race relations in America with a brief background of Negro culture in Africa.

Interwoven into the readable account of race relations are the reasons why the two came to speak for equal rights for Negroes in Little Rock and the United States.

As Lillian Smith put it: "*This Is What We Found* is shrewd and candid, honest and humane, full of touches of humor . . ."

The book is excellent for persons seeking a beginning for better race relations in the community.

Special discounts are available to organizations, including:

Copies	Price per Copy
500 to 999	40¢
1,000 to 2,499	36¢
2,500 to 4,999	34¢
5,000 to 9,999	32¢
10,000 or more	28¢

—Reviewed by John Constable, Director of Information

Commission Report

Equal Protection Is Sought In Public Higher Education

WASHINGTON—The U. S. Commission on Civil Rights . . . said that the Federal Government itself had been "a silent partner in the creation and perpetuation of separate colleges for Negroes."

In a report entitled "Equal Protection of the Laws in Public Higher Education, 1960," the six-member, bipartisan Commission recommended that Federal funds for assistance to publicly controlled colleges and universities be disbursed only to institutions that do not discriminate on grounds of race, color, religion, or national origin.

The Commission also recommended:

That Congress consider authorizing the use of three-judge courts "in cases presenting a substantial factual issue as to whether persons are being denied equal protection of the laws with respect to public education."

That, when requested by a State, the Federal Government sponsor programs to assist public school teachers "and students of native talent and ability who are handicapped professionally or scholastically as a result of inferior educational opportunity and training."

The report, the result of a 12-month study, stated that discrimination in higher education centers on the Negro and that the heart of the problem lies in the Southern States. It added, however, "The public colleges of the Northern and Western States are not free from suspicion of discrimination against Negroes. Some 20 percent of the public institutions in those States inquire as to the race of an applicant or ask for a photograph, or both . . ."

In its State-by-State study of public higher education the Commission noted that the Nation "may desperately need additional trained manpower in the physical and natural sciences, in engineering, and mathematics, but to a great extent the South offers only history of education and teaching methods to its Negro youth. The potential physicist, chemist, mathematician, psychologist, sociologist among the Negroes of the South is lost to the Nation . . ."

The Commission found that deprivation at the high school level leads to deprivation at the college level. The report noted that the public high schools in six "resistant" States — Louisiana, Florida, Mississippi, South Carolina, Alabama and Georgia—"present a picture of deprivation varying in degree from a low of 2.6 percent Negro high schools approved by the Southern Association of Colleges and Secondary Schools as compared with 52.4 percent white in Mississippi, to a high of 53.9

Commission

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percent Negro and 84.1 percent white high schools so approved in Florida."

In this regard, the report observed:

"This inferior preparation of the Negro high school student in the segregated high school of the South helps perpetuate the problem of segregation and discrimination at the college level. Proportionately fewer academically talented Negroes have the educational foundation required for success in a first-rate college. The graduates of segregated and inferior high schools tend, therefore, in overwhelming numbers to attend segregated and generally inferior colleges."

In recommending that the Federal Government consider withholding assistance funds from public colleges and universities that discriminate, the Commission emphasized that "in any such Federal action taken it should be stipulated that no Federal agency or official shall be given power to direct, supervise or control the administration, curricula or personnel of an institution operated and maintained by a State or a political subdivision thereof."

Dissent

The only dissent from the recommendation for withholding funds came from Commissioner Doyle E. Carlton, who said: "I cannot approve the withholding of money, coming as it does to the Federal Government from the taxpayers of the several States, as a club to forge any fixed pattern set forth by a Federal agency."

The recommendation for the use of the more expeditious three-judge courts was based primarily on two considerations:

(1) A finding that the average length of almost all lawsuits to secure admission to a public college or university is 2½ years. The Commission said that "an individual should not be subjected to such delay in securing a judicial determination of his constitutional rights."

Three-Judge Status

(2) Agreement by a majority of the Commission that the determination of factual issues of constitutional deprivation involves a Federal-State relationship of importance equal to the determination of constitutionality of a State statute, where a three-judge court is now required.

Vice Chairman Robert G. Storey and Commissioner Carlton filed dissenting statements to this recommendation.

Two proposals offered by Chairman John A. Hannah and Commissioners Theodore M. Hesburgh and George M. Johnson failed to win majority approval when they met with objections from Vice Chairman Storey and Commissioners Carlton and Robert S. Rankin.

One would have recommended that Federal funds for assistance to private, as well as public, colleges and universities that discriminate be withheld. The other would give to the Attorney General authority to institute or intervene in civil actions to prevent the denial of equal protection of the laws with respect to higher public education.

The report was prepared under the direction of Dr. Elizabeth R. Cole, head of the Commission's Public Education Section and member of the Maryland State Board of Education.

Noteworthy quotes from the press and periodicals

. . . Unquote

"Lots of [letters] say that Georgia is on the threshold of economic growth and that closing the schools would set us back 100 years. As a matter of fact, I had a letter from a banker in north Georgia saying that the school crisis already had cost his community industry and that, in his opinion, unless the matter is settled at once, it will cost Georgia many more industries."

Frank Twitty,
Georgia House Speaker,
Quoted in *Atlanta Journal*
January 17, 1961

• • •

"There are just as many 'great people' in Georgia as there are in any other Southern state. There are just as many people here as elsewhere who are not great. Just as many and no more. If Georgia fails in the agonizing days and months and years ahead it will not be because our people are less great than the others. It will be because our leaders are."

Ted Lippman
in the *Atlanta Constitution*
January 13, 1961

• • •

"To shut down the state university system is unthinkable. The legal decision is made. Buck Murphy [Georgia's lawyer] has indicated the proper course for the state now—not to violate but to obey the law with calm dignity, as it is being honored already in the universities of our seven sister states in the South."

From an editorial
in the *Atlanta Constitution*
January 7, 1961

"As the center of the Southeastern market, Atlanta will attract a certain number of facilities which could not logically be situated elsewhere. But many plants which need only find a suitable site in a small community . . . can and will ignore the offers of small Georgia communities in preference for similar locations in other states where the school problem is being handled more smoothly."

H. M. Conway
Publisher, Industrial
Development magazine,
Quoted in *Atlanta Journal*
January 17, 1961

• • •

"We believe that it is a violation of constitutional rights to bar any student from playing on a school team because of his color. Integration in the sports program has caused no disturbance and we feel that the ruling [by Fairfax County School Board barring desegregated athletic competition] tends to aggravate a previously untroubled situation."

600 Fairfax County High School
Students
Quoted in *Washington Post*
January 8, 1961

• • •

"I am thoroughly ashamed of it [University of Georgia riot]."

Terry Hazelwood, Editor,
University of Georgia,
Red and Black
Quoted in *Atlanta Journal*
January 21, 1961

The Changing South in Print!

The Southern Regional Council has . . . published a brochure, *Racial Violence and Law Enforcement*, by George McMillan, which offers evidence to show that the attitude of the police, when interracial violence occurs, reflects the attitude of state and municipal government. "In the South today," Mr. McMillan concludes after a study of violence in Chattanooga, Montgomery, and Little Rock, "law enforcement is like war was in old Clausewitz's definition, an extension of politics."

Norfolk and Virginia prove the truth of the proposition Mr. McMillan lays down. Politics in Virginia and in Norfolk was against desegregation of the schools. There was no disorder in this state because public policy was against it, and the police everywhere were aware of this fact. When public policy in New Orleans moves against the angry mob, the mob will subside and vanish.—Norfolk, Virginia, *Virginian-Pilot*.

BEST COPY AVAILABLE